

MANDATE

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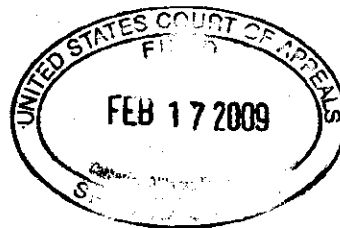
S.D.N.Y. - N.Y.C.
08-cv-7132
Wood, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 17th day of February, two thousand nine,

Present:

Hon. José A. Cabranes,
Hon. Richard C. Wesley,
Circuit Judges,
Hon. Edward R. Korman,*
District Judge.



Michael D. Wesley,

Plaintiff-Appellant,

v.

08-4721-pr

City of New York, *et al.*,

Defendants-Appellees.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. See *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

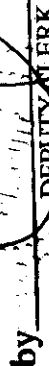
FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: 

*The Honorable Edward R. Korman, Senior Judge of the United States District Court for the Eastern District of New York, sitting by designation.

SAO MGM

TRUE COPY
Catherine O'Hagan Wolfe, Clerk

by  DEPUTY CLERK

Issued as Mandate.

3/17/09 YC